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LAWYERS ARGUE ABOUT CHARGE

Testimony In Beattie Case
Is All In.

REBUTTAL IS DAMAGING

Prosecution Has Witnesses to Dis-
prove Nearly Every Statement
Made by Prisoner On the Stand.
Was Unable to Account For Pre-
sence in Alleged Highwayman's
Hands of Gun Purchased by Cousin.
Story of Auto Ride Confirmed.

Chesterfield C. H., Va., Sept. 6.—
All evidence in the case for and
against Henry Clay Beattie, Jr., is
now in. Tomorrow morning at 9
o'clock the lawyers will begin the
summing up and before adjournment
of court the jury will have retired
to determine the final issue of life or
death.

There is no court session at Che-
sterfield cross-roads today. Instead the
lawyers for the commonwealth and
the defense met with Judge Watson
in the chambers of the supreme court
in Richmond to argue the matter of
the judge's charge to the jury. Under
the Virginia practice, before the
court charges the jury in capital
cases, both sides are given an oppor-
tunity to urge upon him certain
clauses in his instructions, the argu-
ment in no sense being binding upon
the court, but merely advisory.

The completion of testimony came
suddenly when Henry Owen, a broth-
er of the woman who was murdered,
the last witness for the prosecution
in rebuttal, was on the stand. His
taking the stand was the final sur-
prise launched at Beattie's defense by
Louis Wendenburg, the common-
wealth's prosecutor. After he had de-
nied the story of Henry Beattie, that
to the end his wife and he had never
exchanged a cross word, Wendenburg
announced that the prosecution rested
its rebuttal. The defense had no
serious rebuttal to make and the ten
days of evidence-taking were thus
brought abruptly to an end.

Day of Disasters.
This final day in the prosecution's
effort to bring Henry Beattie to pun-
ishment for the crime of which he is
accused was quite the most disastrous
of all that had passed over his head.
No great sensation was sprung, but
bit by bit the story that the prisoner
had himself told on the stand and
that favorable witnesses had sought
to substantiate for him, was torn
down by an overwhelming weight of
evidence in rebuttal. The final ques-
tion that had been propounded to
Beattie when he resumed the stand
for a few minutes to have his cross-
examination completed remains unan-
swered and, above all other questions
at issue, the most fraught with sig-
nificance.

"How did the gun bought by Paul
Beattie three days before the murder
happen to be in the hands of the man
who shot your wife, and how do you
account for the fact that in every de-
tail of shooting it always was the gun
bought by Paul Beattie that is in evi-
dence?" was the last question that
Wendenburg shot at Henry Beattie
before he left the stand.

"I can not account for that," was
Beattie's answer; nor did his counsel
account for it, except to put on wit-
nesses to say that Paul Beattie's re-
putation for truth and veracity is bad.

By constant iteration Henry Beattie
sought to establish the fact both
in his direct and cross-examination
that on the certain Thursday night,
when Paul says Henry met him with
his machine and requested him to buy
a second-hand shotgun, he had not
seen his cousin Paul, and did not go
to the several places where Paul in
his evidence had said they went. Hen-
ry Beattie made a flat and positive
denial of his cousin's story in this re-
spect, even though Wendenburg gave
him the hint that there would be
plenty of witnesses to rebut him.

Prosecutor Makes Good.

The prosecutor made good his hint
with the opening of court by placing
on the stand the first of a long string
of witnesses to disprove every step
in the denial of the prisoner. First
one of Beattie's own friends testified
to having heard Henry make an en-
gagement over the telephone in a
candy store to meet some one at a
certain hour on that Thursday night.
Then came other young men to say
that they had seen Henry Beattie
drive up in his car at Short and Main
streets, Richmond, and take Paul in
the machine with him. Even a Syrian
candy shop keeper, who stuttered with
nervousness, helped to make this
point stronger.

Paul Beattie had said that after
Henry had taken him in the car they
had driven to McEvoy's saloon and
there had a drink of beer. Out of
several who had been at the saloon
on that night Wendenburg picked
three to go on the stand and swear
that they had seen the two cousins
there and that they had driven away
together.

Murdered in Canada.
Burton, O., Sept. 6.—The body of
Norman B. Merritt, 27, has been
brought here for burial at Parkman,
from Alberta, Canada, where he was
murdered by a farmhand.

HILL BREAKS LONG SILENCE

Denies Rumors Concerning
His Resignation.

QUOTES TAFT'S LETTER

Retiring Ambassador to Berlin De-
nies Emphatically That His Course
in Potash Controversy Had Any-
thing to Do With Retirement—De-
clines High Honor Proffered by
Kaiser, but Accepts Piece of Rare
Porcelain From Royal Potteries.

Berlin, Sept. 4.—Dr. David Jayne
Hill, the retiring United States am-
bassador to Germany, has issued the
first public statement he has so far
made in connection with his resig-
nation last April. The statement was
published in Germany today with the
direct sanction of the German gov-
ernment because of its reference to
the Kaiser. The ex-ambassador left
for Switzerland today after having
lunched with Herr Von Kiderlin-
Waeche. The statement is as fol-
lows:

"I can not leave Germany without
expressing my appreciation of the
kindness I experienced here, particu-
larly from his majesty, the emperor,
who has generously intimated a wish
to confer upon me an honor which
the laws of my country forbid me to
accept. I have, however, considered
it proper to receive from his majesty
as a souvenir of our agreeable rela-
tions, a piece of porcelain from the
royal potteries, and I wish to make
public acknowledgment of this mark
of friendship.

"At the time of my resignation last
April there was much speculation re-
garding the reason for it, and a leg-
end concerning my course in the ne-
gotiations of my government with
that of Germany in the potash con-
troversy was carefully prepared and
widely circulated, positively declaring
upon alleged authority that my con-
duct had been displeasing to the de-
partment of state. In such circum-
stances the duty of a loyal diplo-
matic officer is silence, and we faith-
fully performed that duty.

Thanks to Please Taft.
"I have believed the American peo-
ple careless, as they always are of
reputations, love fair play, and know-
ing that the official records were
there to speak the truth at the proper
time, I have taken no notice of either
the source or the motive of them. On
taking leave of the office six months
after my resignation was decided on,
I believe that it will give pleasure to
the president if I make public at this
time an autograph statement made
by him some months ago which should
effectually silence and exterminate
this legend which certain newspapers
have endeavored to keep alive.

"He says, 'I write not to assure you
that I never had the slightest reason
to criticize your course and service
at the most important post of Berlin.
You have vindicated your appoint-
ment in every way and it has given
me pleasure to deny emphatically and
categorically that your resignation
grew out of any disagreement on the
part of the administration with your
conduct of this country's relations
with Germany in regard to potash or
any other question. I write this, for
I think you are entitled to have a full
statement as to your satisfactory ser-
vice written by him whom you have
worthily and well represented at the
great capital of Berlin.'

"I make this statement public at
this time for the purpose of assuring
my friends in Europe and America of
my faithful allegiance to the prin-
ciples of loyalty by which I have been
actuated throughout an official life of
considerable duration and to show
my appreciation of the sense of jus-
tice by which the president has been
inspired in recognizing the wrong
done me by others, whose misrep-
resentations he desires as far as pos-
sible to repair, in circumstances which
I have reason to believe he at pres-
ent entirely understands."

Look for this Sign on Leading Garages

You cannot have a good tire is
until you try a Michelin properly inflated

IN STOCK BY

Bourbon Garage and Supply Co.,
Fourth and High Streets.

PROPHET SAYS IT MEANS WAR

Letter W Again Appears on Wings
of Seventeen-Year Locusts.

Walkers Mills, Pa., Sept. 4.—Horo-
tio Markham, the well known author-
ity on the habits of the 17-year locust,
reported that they had just arrived
in this locality. He has predicted for
several months that they would pos-
sibly arrive in the first week of Sep-
tember and he produced a half dozen
of the bugs which he succeeded in
catching. Mr. Markham after exam-
ining the locusts under a powerful
microscope said that this year's lo-
custs had very deep red lines radiat-
ing in the figure "W" on each wing.
He declares that this means that
the United States will soon be en-
gaged in a bloody war. The aged hermit,
who is now in his ninety-third year,
says that the 17-year locusts always
come to warn the country of war or
want. In the years in which the red
lines appeared on the wings, Mr.
Markham says, a war always fol-
lowed, and in those years in which
the red lines were not in evidence the
country was visited by a panic.

Mr. Markham received much notori-
ety all over the country in 1894 for
his prediction of the Spanish-Ameri-
can war. He also foretold the Rus-
sian-Japanese war and its results. He
says that the forthcoming war will
be even more terrible than the re-
cent conflict.

Mr. Markham's family have been
known for years for their wonderful
predictions which they have made
from their deductions taken from the
wings of the locusts. Both his father
and grandfather were authorities on
the subject and Mr. Markham has
records which he says show they suc-
cessfully predicted the wars of 1812,
the Mexican and civil wars, as well
as the panics of 1837, 1857 and 1873.

Zulu Wedding Ring.
The Zulu woman wears her wedding
ring in her nose. A double purpose is
thus served. It discourages promiscu-
ous kissing and she is in little danger
of losing her ring, in fact, she always
nose where it is.

MAINE THREATENED WITH "WET" SPELL

Change of Heart Predicted After
Long Drouth.

Portland, Me., Sept. 4.—The possi-
bility that Maine may repudiate pro-
hibition grows stronger as election
day, which comes on the 11th day of
this month, draws nearer. Two
months ago hardly a person at all
familiar with public sentiment in the
state believed that there was more
than a ghost of a chance that the pro-
hibitory amendment would be an-
nulled when the people came to vote
upon it.

The temperance organizations, the
churches and the granges, all of
which are united for the law, got in
their work so early and with such
vigor that they seemed for a time to
have driven completely to cover what-
ever anti-prohibition sentiment there
may have been and the only question
asked was by what majority would the
amendment be retained. The only
thing that caused any uncertainty
whatever, was the strong disposition
manifest on the part of the average
voter to keep to himself whatever his
sentiments may have been.

But within a few weeks all this
has changed. Voters are talking more
freely and with this loosening up on
their part, there came at first hope,
then courage, and now what seems to
be absolute confidence on the part
of those who have been conducting
the campaign against the amendment.

Chicago Loses Again.
Investigation discloses that Boston
women have the biggest feet. Which
leaves Chicago nothing to boast of
now but the stockyards.—New York
Herald.

Knocker.
"One thing about Jinx; he never
comes into one's office without knock-
ing." "Another thing about Jinx is
that he never goes anywhere without
knocking."—Houston Post.

Bit of Fact.
Four man-eating lions were recently
captured at Gwalior, in India, by
means of fly-paper, which, getting on
to the faces of the animals, made
them an easy prey.

THE DRY FALL OUTING TO

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for a promenade or dance.

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